



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

RECEIVED
NOV 26 2001
TECH CENTER 1600/2900

ROBERT GREEN*
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX***
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE
STEVEN R. LUDWIG

JOHN M. COVERT
LINDA E. ALCORN
ROBERT C. MILLONIG
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
PATRICK E. GARRETT
JEFFREY T. HELVEY*
HEIDI L. KRAUS
JEFFREY R. KURIN
PATRICK D. O'BRIEN
LAWRENCE B. BUGAIKY
CRYSTAL D. SAYLES

EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL
TERESA U. MEDLER
JEFFREY S. WEAVER
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE
VINCENT L. CAPUANO
JOHN A. HARROUN*
ALBERT J. FASULO II*
ELDORA ELLISON FLOYD*

W. RUSSELL SWINDELL
THOMAS C. FIALA
BRIAN J. DEL BUONO*
VIRGIL L. BEASTON*
RYAN J. STAMPER*
REGINALD D. LUCAS*
THEODORE A. WOOD
KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
ANDREA J. KAMAGE**
NANCY J. LEITH**
ELIZABETH J. HAANES**
MARK P. TERRY**

JOSEPH M. CONRAD, III**
DOUGLAS M. WILSON**
ANN E. SUMMERFIELD**
CYNTHIA M. BOUCHEZ**
HELENE C. CARLSON**
BRUCE E. CHALKER**
GABY L. LONGSWORTH**
DUSTIN T. JOHNSON**
MATTHEW J. DOWD**
TIMOTHY M. SPEER**
AARON L. SCHWATZ**

*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

November 21, 2001

WRITER'S DIRECT NUMBER:
(202) 371-2625

INTERNET ADDRESS:
ESTEFFE@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 09/555,211; § 371 Date: December 27, 2000
For: **Method for Measuring the Apoptosis**
Inventors: STEINLEIN *et al.*
Our Ref: 0652.2080000/EKS/PSC

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
2. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
3. Amendment And Reply Under 37 C.F.R. § 1.111;
4. Submission of English Translation of the Certified Copy of 35 U.S.C.
§ 119(a)-(d) Priority Document In Utility Application, with English translation
of DE 197 52 922.4 and Declaration attached;
5. A copy of Declaration of Peter Steinlein Under 37 C.F.R. § 1.132;

Commissioner for Patents
November 21, 2001
Page 2

6. Our check no. 33268 for \$920.00 to cover:
\$920.00 Extension fee under 37 C.F.R. § 1.136; and
7. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michael A. Cassella
Reg No. 33851

for Eric K. Steffe
Attorney for Applicants
Registration No. 36,688

EKS/PSC/lam
Enclosures

FREE TRANSMITTAL for FY 2002 <small>Patent fees are subject to annual revision.</small>		Complete if Known	
		Application Number	09/555,211
		\$ 371 Date	December 27, 2000
		First Named Inventor	Peter Steinmann
		Examiner Name	Tran, M.
Group Art Unit		1642	NOV 26 2001
Attorney Docket No.		0652.2080000/PSK/PSC	TECH CENTER 1600/2900
TOTAL AMOUNT PAID		(\$920.00)	

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C. <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		3. ADDITIONAL FEES Large Entity Small Entity Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee paid																																																
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other* <small>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</small>		105 130 205 65 Surcharge - late filing fee or oath 127 50 227 25 Surcharge - late provisional filing fee or cover sheet 139 130 139 130 Non-English specification 147 2,520 147 2,520 For filing a request for <i>ex parte</i> reexamination 112 920* 112 920* Requesting publication of SIR prior to Examiner action 113 1,840* 113 1,840* Requesting publication of SIR after Examiner action 115 110 215 55 Extension for reply within first month 116 400 216 200 Extension for reply within second month 117 920 217 460 Extension for reply within third month 118 1,440 218 720 Extension for reply within fourth month 128 1,960 228 980 Extension for reply within fifth month 119 320 219 160 Notice of Appeal 120 320 220 160 Filing a brief in support of an appeal 121 280 221 140 Request for oral hearing 138 1,510 138 1,510 Petition to institute a public use proceeding 140 110 240 55 Petition to revive - unavoidable 141 1,280 241 640 Petition to revive - unintentional 142 1,280 242 640 Utility issue fee (or reissue) 143 460 243 230 Design issue fee 144 620 244 310 Plant issue fee 122 130 122 130 Petitions to the Commissioner 123 130 123 130 Petitions related to provisional applications 126 180 126 180 Submission of Information Disclosure Stmt 581 40 481 40 Recording each patent assignment per property (times number of properties) 146 740 246 370 Filing a submission after final rejection (37 CFR 1.129(a)) 149 740 249 370 For each additional invention to be examined (37 CFR 1.129(b)) 179 740 279 370 Request for Continued Examination (RCE) 169 900 169 900 Request for expedited examination of a design application Other fee (specify): Other fee (specify): *Reduced by Basic Filing Fee Paid																																																
FEE CALCULATION I. BASIC FILING FEE <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td></td></tr><tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr><tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr><tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr><tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="6">SUBTOTAL (1) (\$) 0.00</td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee		106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		SUBTOTAL (1) (\$) 0.00												
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																													
101	740	201	370	Utility filing fee																																														
106	330	206	165	Design filing fee																																														
107	510	207	255	Plant filing fee																																														
108	740	208	370	Reissue filing fee																																														
114	160	214	80	Provisional filing fee																																														
SUBTOTAL (1) (\$) 0.00																																																		
2. EXTRA CLAIM FEES <table border="1"><thead><tr><th>Extra</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Total Claims - 20** =</td><td>X</td><td></td></tr><tr><td>Indep. Claims - 3** =</td><td>X</td><td></td></tr><tr><td>Multiple Dependent</td><td></td><td></td></tr></tbody></table> <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr><tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td></tr><tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim</td></tr><tr><td>108</td><td>84</td><td>209</td><td>42</td><td>**Reissue independent claims over original patent</td></tr><tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr><tr><td colspan="5">SUBTOTAL (2) (\$) 0.00</td></tr></tbody></table> <small>** or number previously paid, if greater; For Reissues, see above</small>		Extra	Fee from below	Fee Paid	Total Claims - 20** =	X		Indep. Claims - 3** =	X		Multiple Dependent			Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	84	202	42	Independent claims in excess of 3	104	280	204	140	Multiple dependent claim	108	84	209	42	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent	SUBTOTAL (2) (\$) 0.00						
Extra	Fee from below	Fee Paid																																																
Total Claims - 20** =	X																																																	
Indep. Claims - 3** =	X																																																	
Multiple Dependent																																																		
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																														
103	18	203	9	Claims in excess of 20																																														
102	84	202	42	Independent claims in excess of 3																																														
104	280	204	140	Multiple dependent claim																																														
108	84	209	42	**Reissue independent claims over original patent																																														
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																														
SUBTOTAL (2) (\$) 0.00																																																		
		SUBTOTAL (3) (\$) 920.00																																																

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Eric K. Steffe	Registration No. (Attorney/Agent)	36,688
Signature	Michael A. Cimbal Reg No. 33851	Telephone	202-371-2600
		Date	11/21/01